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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,895	10/13/2005	Klaus Hoffmann	2003P04534WOUS	2592
22116	7590	10/01/2007		
SIEMENS CORPORATION INTELLECTUAL PROPERTY DEPARTMENT 170 WOOD AVENUE SOUTH ISELIN, NJ 08830			EXAMINER OVANDO, PABLO R	
			ART UNIT 2609	PAPER NUMBER
			MAIL DATE 10/01/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/552,895

**Applicant(s)**

HOFFMANN, KLAUS

**Examiner**

Pablo R. Ovando

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

**Claim 18** is objected to because of the following informalities: the slash should be after the word and. In the interest of compact prosecution, examiner will assume claim 18 states "(SIP) and/or". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claim 10-14 and 17** are rejected under 35 U.S.C. 102(e) as being anticipated by Gawargy et al, United States Patent Application 2002/0141381 (hereinafter referenced as Gawargy).

As to **claim 10**, Gawargy teaches a method that enables functionality of telephony services in a packet network. Additionally, Gawargy teaches providing a control element that receives messages from the communications network (fig. 2 MGC

16b, paragraph 33); converting a signaling message and parameters required for service control from a standard signaling protocol into a Session Initiation Protocol (SIP) to form a SIP message (paragraph 33 converts from legacy set-up signals to a SIP protocol), the service control controlling the UID prior to call/connection acceptance; (note that the SIP message is sent to an AS 18 for IN functionality prior to the call being established) and transmitting the SIP message (fig. 4b, the SIP message is transmitted to the AS 18 or IPE).

As to **claim 11**, Gawargy teaches that the control element includes a service switching point (paragraph 42, note that Gawargy teaches that the functions of the SSP are performed by the MGC).

As to **claim 12**, Gawargy teaches that the control element is a Media Gateway Controller or an Application server (fig.2 MGC 16b)

As to **claim 13**, Gawargy teaches that the standard signaling protocol is based on a protocol selected from the group consisting of Bearer Independent Call Control (BICC), Integrated Services Digital Network User Part (ISUP), and ISUP+ (paragraph 33).

As to **claim 14**, Gawargy teaches that the parameters and messages required for service control are mapped into a Session Description Protocol (SDP) part of the SIP message (paragraph 47).

As to **claim 17**, Gawargy teaches that after the UID has been conducted, the call is directed to another addressed destination (paragraph 44).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 18-22 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gawargy in view of Camarillo et al, "Integrated Services Digital Network (ISDN) user Part (ISUP) to session Initiation Protocol (SIP) Mapping" (hereinafter referenced as Camarillo).

As to **claim 18**, Gawargy teaches a method that enables functionality of telephony services in a packet network. Additionally, Gawargy teaches providing a control element that receives messages from the communications network (fig. 2 MGC 16b, paragraph 33);

Additionally, Gawargy teaches converting standard signaling to SIP signaling (paragraph 33). Additionally, Gawargy teaches that the service control controls the UID prior to call/connection acceptance (note that the SIP message is sent to an AS 18 for IN functionality prior to the call being established); and transmitting the SIP message (fig. 4b, the SIP message is transmitted to the AS 18 or IPE).

But Gawargy does not explicitly teach converting from SIP to standard signaling. However, Camarillo teaches using a MGC to convert from ISUP to SIP (page 4). It

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would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply the teachings of Camarillo in Gawargy, since adding the converting capability to the MGC would yield the well known predictable result of converting signals. Additionally, it would give the system the flexibility to operate in both modes.

As to **claim 19**, Gawargy in view of Camarillo teaches everything claimed, as applied above (see claim 18). Additionally, Gawargy teaches that the control element includes a service switching point (paragraph 42 discloses that the functions of the SSP are performed by the MGC).

As to **claim 20**, Gawargy in view of Camarillo teaches everything claimed, as applied above (see claim 19). Additionally, Gawargy teaches that the control element is a Media Gateway Controller or an Application server (fig.2 MGC 16b).

As to **claim 21**, Gawargy in view of Camarillo teaches everything claimed, as applied above (see claim 20). Additionally, Gawargy teaches that the standard signaling protocol is based on a protocol selected from the group consisting of Bearer Independent Call Control (BICC), Integrated Services Digital Network User Part (ISUP), and ISUP+ (paragraph 33).

As to **claim 22**, Gawargy in view of Camarillo teaches everything claimed, as applied above (see claim 21). Additionally, Gawargy teaches that the parameters and messages required for service control are mapped into a Session Description Protocol (SDP) part of the SIP message (paragraph 47).

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As to **claim 25**, Gawargy in view of Camarillo teaches everything claimed, as applied above (see claim 22). Additionally, Gawargy teaches that after the UID has been conducted, the call is directed to another addressed destination (paragraph 44).

**Claims 15 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gawargy in view of well known prior art.

As to **claim 15**, Gawargy teaches that the parameters and messages required for service control are converted from ISUP or BICC to SIP (paragraph 33). However, Gawargy does not explicitly teach all the messages listed in the table. Examiner takes official notice that it was well known in the art to map signals from ISUP to SIP and it would have been obvious to try different mapping standards known in the industry, since it would yield the predictable results of converting signals. Additionally, it would allow the system to function in both SIP and ISUP modes.

As to **claim 16**, Gawargy teaches that the parameters and messages required for service control are converted from an Intelligent Network Application Part (INAP) to SIP and/or SDP (paragraph 33). However, Gawargy does not explicitly teach all the messages listed in the table. Examiner takes Official Notice that it was well known in the art to map signals from ISUP to SIP and it would have been obvious to try different commands known in the industry, since it would yield the predictable results of converting signals. Additionally, it would allow the system to function in both SIP and ISUP modes.

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**Claims 23 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gawargy in view of Camarillo, as applied to claim 18, and in further view of well known prior art.

As to **claim 23**, Gawargy in view of Camarillo teaches everything claimed, as applied above (see claim 22). Additionally, Camarillo teaches that the parameters and messages required for service control are converted from SIP to ISUP or BICC (pages 4 and 7). However, Camarillo does not explicitly teach all the messages listed in the table. Examiner takes official notice that it was well known in the art to map signals from SIP to ISUP and it would have been obvious to try different mapping standards known in the industry, since it would yield the predictable results of converting signals. Additionally, it would allow the system to function in both SIP and ISUP modes.

As to **claim 24**, Gawargy in view of Camarillo teaches everything claimed, as applied above (see claim 22). Additionally, Gawargy teaches that the parameters and messages required for service control are converted from Intelligent Network Application Part (INAP) to SIP and/or SDP (paragraph 33). Converting from SIP to INAP would have been obvious based on the teachings of Camarillo. However, Gawargy does not explicitly teach all the messages listed in the table. Examiner takes Official Notice that it was well known in the art to map signals from SIP to INAP and it would have been obvious to try different commands known in the industry, since it would yield the predictable results of converting signals. Additionally, it would allow the system to function in both SIP and ISUP modes.

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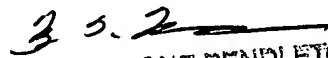
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo R. Ovando whose telephone number is 571-272-9752. The examiner can normally be reached on M-F 7:30 am to 5:00pm, EST, Alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

P.O.

  
BRIAN TYRONE PENDLETON  
SUPERVISORY PATENT EXAMINER